

BORDER RUFFIAN CODE IN KANSAS. *hist.*

THE character of the Code of pretended Laws enacted by the bogus Territorial Legislature of Kansas—a Legislature notoriously forced upon the people of that Territory, at the hands of invading ruffians from Missouri, using the persuasive arguments of the Bowie-Knife and Revolver—may be judged from the following extracts, which are taken from Executive Document No. 23, submitted to Congress by the President of the United States, and printed by the public printer to Congress. The Document forms a volume of 822 pages, and is entitled "Laws of the Territory of Kansas." We commence with the following, which will be found commencing on page 604, and which will provoke its own comments:

CHAPTER 151.—SLAVES.

An Act to Punish Offences against Slave Property.

- § 1. Persons raising insurrection punishable with death.
- 2. Aider punishable with death.
- 3. What constitutes felony.
- 4. Punishment for decoying away slaves.
- 5. Punishment for assisting slaves.
- 6. What deemed grand larceny.
- 7. What deemed felony.

- § 8. Punishment for concealing slaves.
- 9. Punishment for rescuing slaves from officer.
- 10. Penalty on officer who refuses to assist in capturing slaves.
- 11. Printing of incendiary documents.
- 12. What deemed a felony.
- 13. Who are qualified as jurors.

Be it enacted by the Governor and Legislative Assembly of the Territory of Kansas, as follows:

SECTION 1. That every person, bond or free, who shall be convicted of actually raising a rebellion or insurrection of slaves, free negroes, or mulattoes, in this Territory, shall suffer death.

SEC. 2. Every free person who shall aid or assist in any rebellion or insurrection of slaves free negroes, or mulattoes, or shall furnish arms, or do any overt act in furtherance of such rebellion or insurrection, shall suffer death.

SEC. 3. If any free person shall, by speaking, writing, or printing, advise, persuade, or induce any slaves to rebel, conspire against, or murder any citizen of this Territory, or shall bring into, print, write, publish or circulate, or cause to be brought into, printed, written, published or circulated, or shall knowingly aid or assist in the bringing into, printing, writing, publishing, or circulating in this Territory, any book, paper, magazine, pamphlet, or circular, for the purpose of exciting insurrection, rebellion, revolt, or conspiracy on the part of the slaves, free negroes, or mulattoes, against the citizens of the Territory or any part of them, such person shall be guilty of felony, and shall suffer death.

SEC. 4. If any person shall entice, decoy, or carry away out of this Territory, any slave belonging to another, with intent to deprive the owner thereof of the services of such slave, or with intent to effect or procure the freedom of such slave, he shall be adjudged guilty of grand larceny and, on conviction thereof, shall suffer death, or be imprisoned at hard labor for not less than ten years.

SEC. 5. If any person shall aid or assist in enticing, decoying, or persuading, or carrying away or sending out of this Territory any slave belonging to another, with intent to procure or effect the freedom of such slave, or with intent to deprive the owner thereof of the services of such slave, he shall be adjudged guilty of grand larceny, and, on conviction thereof, shall suffer death, or be imprisoned at hard labor for not less than ten years.

SEC. 6. If any person shall entice, decoy, or carry away out of any State or other Territory of the United States any slave belonging to another, with intent to procure or effect the freedom of such slave, or to deprive the owner thereof of the services of such slave, and, shall bring such slave into this Territory, he shall be adjudged guilty of grand larceny, in

the same manner as if such slave had been enticed, decoyed, or carried away out of this Territory, and in such case the larceny may be charged to have been committed in any county of this Territory, into or through which such slave shall have been brought by such person, and on conviction thereof, the person offending shall suffer death, or be imprisoned at hard labor for not less than ten years.

SEC. 7. If any person shall entice, persuade, or induce any slave to escape from the service of his master or owner, in this Territory, or shall aid or assist any slave in escaping from the service of his master or owner, or shall aid, assist, harbor, or conceal any slave who may have escaped from the service of his master or owner, he shall be deemed guilty of felony, and punished by imprisonment at hard labor for a term of not less than five years.

SEC. 8. If any person in this Territory shall aid or assist, harbor or conceal any slave who has escaped from the service of his master or owner, in another State or Territory, such person shall be punished in like manner as if such slave had escaped from the service of his master or owner in this Territory.

SEC. 9. If any person shall resist any officer while attempting to arrest any slave that may have escaped from the service of his master or owner, or shall rescue such slave when in the custody of any officer or other person, or shall entice, persuade, aid or assist such slave to escape from the custody of any officer or other person who may have such slave in custody, whether such slave have escaped from the service of his master or owner in this Territory or in any other State or Territory, the person so offending shall be guilty of felony and punished by imprisonment at hard labor for a term of not less than two years.

SEC. 10. If any marshal, sheriff, or constable, or the deputy of any such officer, shall when required by any person, refuse to aid or assist in the arrest and capture of any slave that may have escaped from the service of his master or owner, whether such slave shall have escaped from his master or owner in this Territory, or any State or other Territory, such officer shall be fined in a sum of not less than one hundred nor more than five hundred dollars.

SEC. 11. If any person print, write, introduce into, publish or circulate, or cause to be brought into, printed, written, published, or circulated, or shall knowingly aid or assist in bringing into, printing, publishing, or circulating within this Territory, any book, paper, pamphlet, magazine, handbill or circular, containing any statements, arguments, opinions, sentiment doctrine, advice, or innendo, calculated to produce a disorderly, dangerous, or rebellious disaffection among the slaves in this Territory, or to induce such slaves to escape from the service of their masters, or to resist their authority, he shall be guilty of felony, and be punished by imprisonment and hard labor for a term of not less than five years.

SEC. 12. If any free person, by speaking or by writing, assert or maintain that persons have not the right to hold slaves in this Territory, or shall introduce into this Territory, print, publish, write, circulate, or cause to be introduced into this Territory, written, printed, published, or circulated in this Territory, any book, paper, magazine, pamphlet, or circular, containing any denial of the right of persons to hold slaves in this Territory, such person shall be deemed guilty of felony, and punished by imprisonment at hard labor for a term of not less than two years.

SEC. 13. No person who is conscientiously opposed to holding slaves, or who does not admit the right to hold slaves in this Territory, shall sit as a juror on the trial of any prosecution for any violation of any of the sections of this act.

This act to take effect and be in force from and after the fifteenth day of September A. D., 1855.

QUALIFICATIONS OF ELECTORS—TEST OATHS.

"An Act to regulate Elections" contains the following sections, page 282, chap. 66.

SEC. 11. Every free white male citizen of the United States, and every free male Indian who is made a citizen by treaty or otherwise, and over the age of twenty-one years, who shall be an inhabitant of this Territory, and of the county or district in which he offers to vote, and shall have paid a territorial tax, shall be a qualified elector for all elective officers; and all Indians who are inhabitants of this Territory, and who may have adopted the customs of the white man, and who are liable to pay taxes, shall be deemed citizens: *Provided*, That no soldier, seaman or mariner, in the regular army or navy of the United States, shall be entitled to vote, by reason of being on service therein: *And provided further*, That no person who shall have been convicted of any violation of any provision of an act of Congress, entitled "An act respecting fugitives from justice, and persons escaping from the service of their masters," approved February 12, 1793; or of an act to amend and supplementary to said act, approved 18th September, 1850; whether such conviction were by

criminal proceeding or by civil action for the recovery of any penalty prescribed by either of said acts, in any courts of the United States, or of any State or Territory, or of any offence deemed infamous, shall be entitled to vote at any election, or to hold any office in this Territory: *And provided further*, That if any person offering to vote shall be challenged and required to take an oath or affirmation, to be administered by one of the judges of the election, that he will sustain the provisions of the above recited acts of Congress, and of the act entitled "An act to organize the Territories of Nebraska and Kansas," approved May 30, 1854, and shall refuse to take such oath or affirmation, the vote of such person shall be rejected.

SEC. 12. Every person possessing the qualification of a voter, as hereinabove prescribed, and who shall have resided in this Territory thirty days prior to the election, at which he may offer himself as a candidate, shall be eligible as a delegate to the House of Representatives of the United States, to either branch of the legislative assembly, and to all other offices in this Territory, not otherwise especially provided for: *Provided, however*, That each member of the legislative assembly, and every officer elected or appointed to office under the laws of this Territory, shall, in addition to the oath or affirmation specially provided to be taken by such officer, take an oath or affirmation to support the Constitution of the United States, the provisions of an act entitled "An act respecting fugitives from justice and persons escaping from the service of their masters," approved February 12, 1793; and of an act to amend and supplementary to said last mentioned act, approved September 18, 1850; and of an act entitled "An act to organize the Territories of Nebraska and Kansas," approved May 30, 1854.

SEC. 19. Whenever any person shall offer to vote, he shall be presumed to be entitled to vote.

SEC. 20. Whenever any person offers to vote, his vote may be challenged by one of the judges or by any voter, and the judges of the election may examine him touching his right to vote; and if so examined, no evidence to contradict shall be received. Or the judges may, in the first instance, receive other evidence; in which event, the applicant may if he desire it, demand to be sworn, but his testimony shall not then be conclusive.

Again, on page 438, in Chap. 117, "*An Act regulating oaths, and prescribing the form of oaths of office*," the following enactments may be found:

SECTION 1. All officers elected or appointed under any existing or subsequently-enacted laws of this Territory, shall take and subscribe the following oath of office: "I, _____, do solemnly swear upon the holy evangelists of Almighty God, that I will support the Constitution of the United States, and that I will support and sustain the provisions of an act entitled 'An act to organize the Territories of Nebraska and Kansas,' and the provisions of the law of the United States, commonly known as the 'Fugitive Slave Law,' and faithfully and impartially, and to the best of my ability demean myself in the discharge of my duties in the office of _____; so help me God."

SEC. 2. Which oath of office shall be endorsed on every commission or certificate of appointment, and may be administered by any person in this Territory authorized to administer oaths.

SEC. 6. All oaths and affirmations alike subject the party who shall falsify them to the pains and penalties of perjury.

ATTORNEYS AT LAW—MORE TEST OATHS.

"*An act concerning attorneys at law*," Chapter 11, page 118, provides as follows:

SEC. 1. No person shall practice as an attorney or counsellor at law, or solicitor in chancery, in any court of record, unless he be a free white male, and obtain a license from the supreme court, or district court, or some one of the judges thereof, in vacation.

SEC. 3. Every person obtaining a license shall take an oath or affirmation to support the Constitution of the United States, and to support and sustain the provisions of an act entitled "An act to organize the Territories of Nebraska and Kansas," and the provisions of an act commonly known as "The Fugitive Slave Law," and faithfully to demean himself in his practice to the best of his knowledge and ability. A certificate of such oath shall be endorsed on the license.

SEC. 5. If any person shall practise law in any court of record, without being licensed, sworn, and enrolled, he shall be deemed guilty of a contempt of court, and punished as in other cases of contempt.

CRIMES AND PUNISHMENTS.

"An act concerning crimes and the punishment of offences against the persons of individuals," Chapter 48, page 205 provides:

Sec. 5. Homicide shall be deemed excusable when committed by accident or misfortune, in either of the following cases: *First*, in lawfully correcting a child, apprentice, servant, or slave, or in doing any other lawful act by lawful means, with usual and ordinary caution, and without unlawful intent; or, *Second*, in the heat of passion, upon any sudden or sufficient provocation, or upon sudden combat without any undue advantage being taken, and without any dangerous weapon being used, and not done in a cruel and unusual manner.

Sec. 31. If any negro or mulatto shall take away any white female under the age of eighteen years, from her father, mother, guardian, or other person having the legal charge of her person, without their consent, for the purpose of prostitution, concubinage, or marriage with him, or any other negro or mulatto, he shall, on conviction, be sentenced to castration, to be performed under the direction of the sheriff, by some skillful person, and the expense shall be adjusted, taxed, and paid as other costs.

Sec. 43. Every person who shall maliciously, forcibly or fraudulently lead, take or carry away, or decoy, or entice away, any child under the age of twelve years, with intent to detain or conceal such child from its parent, guardian, or other person having the lawful charge of such child, shall, upon conviction, be punished by confinement and hard labor, not exceeding five years, or imprisonment in the county jail not less than six months, or by fine not less than five hundred dollars. [See the penalty for enticing away a black slave child, on page 1 of this pamphlet, sec. 4, and compare the two cases.—*Compiler*.]

"An act in relation to the general provisions regulating crimes and punishments," provides (pages 252 & 253), as follows:

Sec. 27. If any slave shall commit petit larceny, or shall steal any neat cattle, sheep or hog, or be guilty of any misdemeanor, or other offence punishable under the provisions of this act only by fine or imprisonment in a county jail, or by both such fine and imprisonment, he shall, instead of such punishment, be punished, if a male, by stripes on his bare back not exceeding thirty-nine, or if a female, by imprisonment in a county jail not exceeding twenty-one days, or by stripes not exceeding twenty-one, at the discretion of the justice.

Sec. 28. Every slave charged with the commission of any of the offences, specified in the last section, shall be tried in a summary manner before a justice of the peace in the county in which the offence is committed; and such justice (if a jury is not required, as provided for in the next section) shall hear the evidence, determine the cause, and, on conviction, pronounce sentence, and cause the same to be executed.

Sec. 29. If any slave or his master, in any case cognizable before a justice of the peace, shall require a jury, the justice shall cause such jury to be summoned, sworn, and empanelled, who shall determine the facts, and assess the punishment in case of conviction, and the justice shall enter judgment and cause the same to be executed.

Sec. 34. When any slave shall be convicted of a felony punishable by confinement and hard labor, the court before whom such conviction shall be had shall sentence the offender to receive on his bare back any number of stripes not exceeding thirty-nine.

WHO MAY AND WHO MAY NOT BE JURORS.

The quality of justice which a Free-State man might reasonably expect at the hands of a Kansas court, may be surmised from Chap. 92, Secs. 1 and 18, of '*An Act concerning jurors*,' pages 377 and 378, from which it will be seen that instead of drawing jurors by lot, the court may summon a sufficient number, (for summon read "pack,") and that all who question the divinity of Slavery are absolutely excluded from all juries which may be required to consider directly or remotely the question of Slavery.

Sec. 1. All courts before whom jurors are required, may order the marshal, sheriff, or other officer to summon a sufficient number of jurors.

Sec. 18. No person who is conscientiously opposed to the holding slaves, or who does not admit the right to hold slaves in this Territory, shall be a juror in any cause in which the right to hold any person in Slavery is involved, nor in any cause in which any injury done to or committed by any slave is in issue, nor in any criminal proceeding for the violation of any law enacted for the protection of slave property and for the punishment of crimes committed against the right to such property.

HABEAS CORPUS.

"An Act regulating proceedings on writs of habeas corpus." Chapter 79, Article 3, page 345, contains the following:

Sec. 8. No negro or mulatto, held as a slave within this Territory, or lawfully arrested as a fugitive from service from another State or Territory, shall be discharged, nor shall his right of freedom be had under the provisions of this act.

The foregoing provision, suspending the writ of habeas corpus, is not only a violation of the Constitution of the United States, but of the Kansas-Nebraska Act itself, which provides as follows:

"Except also that a writ of error or appeal shall also be allowed to the Supreme Court of the United States, from the decision of the said supreme court created by this act, or of any judge thereof, or of the district courts created by this act, or of any judge thereof, upon any writ of habeas corpus, involving the question of personal freedom."

 THE CHAIN AND BALL.

The following shows the treatment to which citizens are liable to be subjected for questioning the right of Border Ruffians to merchandise in human flesh and blood in the Territory of Kansas. Read and make your own comments. We copy from "*An Act providing a system of confinement and hard labor*," Chapter 22, page 146.

Sec. 1. Every keeper of a jail, or other public prison, within this Territory, is hereby required to cause all convicts who may be confined in the prison of which he is the keeper, under sentence of confinement and hard labor, either on the streets, roads, public buildings, or other public works of the Territory, or on some public works of the county in which such convicts may be imprisoned, or on private works wherever may be hereinafter specified; or if there be no public works of the Territory on which to employ such convicts, or if the county wherein such convicts may be confined have no public works on which to employ such convicts, then such convicts may be employed on the public works of any other county in the Territory where there may be work to employ such convicts; or such convicts may be employed on the public works of any incorporate town or city, within this Territory, either in the county in which such convicts may be confined, or in some other county in the Territory.

Sec. 2. Every person who may be sentenced by any court of competent jurisdiction, under any law in force within this Territory, to punishment by confinement and hard labor, shall be deemed a convict, and shall immediately, under the charge of the keeper of such jail or public prison, or under the charge of such person as the keeper of such jail or public prison may select, be put to hard labor, as in the first section of this act specified; and such keeper or other person, having charge of such convict, shall cause such convict, while engaged at such labor, to be securely confined by a chain six feet in length, of not less than four-sixteenths nor more than three-eighths of an inch links, with a round ball of iron, of not less than four nor more than six inches in diameter, attached, which chain shall be securely fastened to the ankle of such convict with a strong lock and key; and such keeper or other person, having charge of such convict, may, if necessary, confine such convict, while so engaged at hard labor, by other chains or other means in his discretion, so as to keep such convict secure and prevent his escape; and when there shall be two or more convicts under the charge of such keeper, or other person, such convicts shall be fastened together by strong chains, with strong locks and keys, during the time such convicts shall be engaged in hard labor without the walls of any jail or prison.

 STOCKING THE LOCAL OFFICES.

All county and town officers who are to execute the outrageous acts of this Border Ruffian Legislature, are appointed either by the legislature or by officers or Boards receiving their appointment from the legislature, thus removing all power from the people. We quote from page 601 as follows:

CHAPTER 150.—SHERIFF.

An Act providing for the office of sheriff, and prescribing his duties.

SECTION 1. There shall be elected, by joint vote of the legislative assembly, at the present session, for each county, a sheriff, who shall hold his office until the general election for members of the legislative assembly, in the year eighteen hundred and fifty-seven; and such sheriff, when elected, shall be commissioned by the governor, and shall take the oath of office prescribed by law, &c.

On page 117 we find the following:

CHAPTER 10.—ATTORNEYS.

An act to establish the office of district attorney, and to define his duties.

SECTION 1. There shall be and is hereby established in each judicial district of this Territory, the office of district attorney, and the present session of the legislative assembly shall elect for each judicial district, by joint ballot, a district attorney, who shall hold his office for four years; and such district attorney shall be commissioned by the governor, and take the oath of office prescribed by law, which commission, with the oath of office endorsed thereon, shall be recorded in the records of the district court of each county in his district.

On page 149 the following may be found:

CHAPTER 23.—CONSTABLES.

An act providing for the appointment of constables, and prescribing their duties.

SECTION 1. There shall be in each township, in each county in this Territory, one constable, who shall be appointed by the tribunal transacting county business, and shall hold his office until the second general election.

On page 196 is the following:

CHAPTER 44.—PROBATE COURT.

An act to establish a probate court, with the powers and duties of a board of commissioners, and to define its jurisdiction.

SECTION 1. That there be and is hereby established in each county of the Territory a probate court; and there shall be elected by joint ballot of the legislative assembly, at the present session, a probate judge for each county in the Territory, who shall hold his office until the general election for members of the legislative assembly, in the year eighteen hundred and fifty-seven, and until their successors are duly elected, commissioned and qualified.

SEC. 28. There shall be and is hereby established in each county of this Territory, a tribunal transacting county business, to be called the board of commissioners for the county, and the probate judge of each county shall be the president of the board of commissioners.

SEC. 29. The present session of the legislative assembly shall elect, by joint ballot, two commissioners, who shall be associated with the probate judge, and constitute the board of commissioners, and shall be the tribunal transacting county business.

SEC. 31. The board of commissioners, in their respective counties, shall have power and authority to levy and cause to be collected a tax upon all property and effects in the county, either real, personal, or mixed, subject to taxation by law, for the necessary expenditures of the counties, not to exceed the amount of taxation levied for Territorial purposes in such county, except in cases provided for by law.

SEC. 32. They shall have power to build bridges, and open and keep in repair roads and highways, within their respective counties, and they shall provide ways and means for the erection of all public buildings necessary for the transacting of county business; they shall cause to be erected, or otherwise procure for the several counties, suitable court-houses, jails, clerks' offices, and other public buildings deemed necessary.

SEC. 33. The probate judge and county commissioners shall appoint in each county a clerk of the board of county commissioners, and shall grant to him a certificate of his appointment, and he shall be commissioned by the governor, and take the oath of office prescribed by law.

SEC. 34. The board of county commissioners shall appoint a county treasurer, coroner, justices of the peace, constables, and all other officers provided for by law, which several officers shall be commissioned by the governor, and the said tribunal shall have the power and authority to appoint all commissioners or agents provided for by law.

We have examined the foregoing, and compared the same with the "Laws of the Territory of Kansas," as published for the United States Senate, and we find the same to be true copies of the Sections quoted.

J. COLLAMER, of Com. on Territories, U. S. Senate.
G. A. GROW, Chairman of Com. on Territories, H. R.
JAMES GALLOWAY, of Com. on Judiciary, H. R.
MASON W. TAPPEN, do. do.
SCHUYLER COLFAX, of Com. on Elections, do.
A. H. CRAGIN, of Com. on Printing, H. R.

NOTE.—The pages referred to, are numbered in accordance with the Official Reprint of the Laws by Congress, and not the pages of the edition printed in Kansas. As the Sections, however, are quoted in full and the No. of the chapter given also, they can easily be traced by any person having the latter edition.

TOOMBS' KANSAS BILL DISSECTED.

LETTER FROM W. Y. ROBERTS, LIEUTENANT-GOVERNOR OF KANSAS.

WASHINGTON, D. C., July 11th, 1856.

To the Editors of the N. Y. Evening Post.

Your note, asking my opinion, as a democrat and as a citizen and friend of Kansas, in relation to the Senate bill, entitled "a bill to authorize the people of the territory of Kansas to form a constitution and state government," &c., which passed the Senate on the 2d inst., is to hand.

In reply, I would say that my objections to the bill are not confined to the details only—they may be amended—but attach also to the principles upon which it rests.

I. The bill proposes to repeal and amend certain territorial laws, and to leave others in force, and hence assumes the position that the legislative assembly was a valid authority, and affixes the seal of congressional sanction and approbation upon a body elected by a rule utterly subversive of that government; and in so doing, the Senate has sanctioned and legalized, as far as it can, the work of an armed mob, in open violation of the laws and constitution of the United States, in violating the great fundamental principle upon which rests our whole political fabric, popular sovereignty, or self-government.

It is not necessary to weary your readers by inserting here the proof of this proposition, and I shall only refer them to the testimony taken by the Kansas Investigating Committee, reported to the House of Representatives on the 1st inst. In this report the above allegation is proven by testimony the most positive and incontrovertible.

II. But my objections to the bill do not stop here; after thus acknowledging the validity of the territorial legislature, the bill proceeds to repeal sundry laws and parts of laws enacted by that body, by the very singular process of re-enacting certain important provisions of the constitution of the United States (see bill, sec.

18). It also enacts a new elective law—assuming the power of Congress to legislate for the territory on the most important subject of legislation, that of the elective franchise, whilst it has, in the opinion of the Senate, in full vitality, a local legislature of its own; thus utterly abandoning the whole theory of the democratic creed in relation to the government of the territories; and, as a democrat, I must be allowed to enter my protest against this abandonment of the faith, particularly in an instance when that abandonment is made necessary by assuming a former false hypothesis.

III. The bill further provides for the election and organization of a convention "to form a constitution and state government," and, without submitting the constitution thus formed to a vote of the people or future action of Congress, admits the state into the Union "on an equal footing with the original states," and makes the action of that convention a *finality*, and denies to the people the invaluable privilege of acting in their primary and individual capacity upon the organic law of the land, "a right invaluable to them and formidable only to tyrants."

IV. To give a board of Commissioners, appointed by the President, the power to determine who shall vote for delegates to the convention, and to be the sole judges of the election and qualifications of said delegates, and to make the action of that convention final, in a matter so important as the formation of a constitution and state government, is to erect a power dangerous to popular rights, a power irresponsible to the people—a despotism; and is assuming the power of Congress to do that for which there is no warrant in the constitution, and which is subversive of the great principles of popular government.

V. One effect of refusing to submit the constitution to the vote of the people, would be to

obviate the necessity of retaining in the territory a large body of men during the winter, in order to vote on the constitution in the spring, as it would be impossible to frame a constitution, publish it and give the people time to discuss its provisions in order to give an intelligent vote upon its ratification, before, probably, the 1st of March. I am aware that it would be exceedingly inconvenient to these people to stay in our territory during the winter *without houses*, and that houses and provisions are very expensive things; nevertheless, as a citizen of Kansas I cannot consent that they should be allowed to finish their works by the 4th of November and return to their homes, leaving the people to enjoy (?) a government established against their will and wishes: and hence, as a citizen and a friend of Kansas, must solemnly protest against this feature of the bill.

VI. The bill further provides that the ratio of representation and the apportionment of delegates shall be determined by the number of voters, and not the number of inhabitants in the territory and the respective districts; thus giving to the mere adventurer, the mere "soldier of fortune" upon the border, the same representative strength with the regular citizen, permanently located with his wife and family of five or ten minor children. The injustice of this provision is too glaring to need comment, and its object too plain, to be misunderstood.

VII. The enumeration of voters is fixed at a time when many of our citizens have been driven from their homes and from the territory, and when an armed mob, unrebuked by government, has blockaded all the avenues to the country, not only preventing the return of the few who might be able, and who might feel an inclination to return, from doing so, but robbing and driving back all new emigrants from the free states who are seeking homes in the territory. Thus forcing upon the people a finality at a most inauspicious time, and proposing to establish the institutions of a state when the country is under the government of an armed and irresponsible mob. What a mockery of popular rights! And what a fraud upon a people who were induced to emigrate to the territory under the pledge from the government, that they should be left "*perfectly free to establish their own institutions.*"

VIII. In addition to this, the bill, as far as it is intended to "authorize the people of the territory of Kansas to form a constitution and state government," is gratuitous. We have asked for no such authority. We contend, as democrats, that we have authority, whenever a majority of the people may so determine, to call a convention, form a constitution and state government, and to apply for admission into the Union as a free and sovereign state. We hold that the people are

better judges of when this shall be done, than Congress can be, and that to judge of and to do this, is one of the rights expressly reserved to the people by the constitution of the United States, and therefore we have not asked of Congress an authority that expressly belongs to us under the constitution; but what we do ask is, that Congress should fulfill all the requirements of the constitution, and extend over us the protecting hand of the national government.

We ask of Congress no impossibilities—nor unconstitutional intermeddling with our domestic affairs. Congress cannot "*give us back our dead*," but it can wipe out a legislative government established by fraud and violence, and institute another that shall reflect the will of the people. It can refund to our people all the losses that they have sustained by reason of this fraud, and restore and secure to them what is more valuable than gold, and sweeter than life, *the free enjoyment of all their political rights as American citizens.* We ask a nation's disapprobation of a fraud unparalleled in the history of our country; let the nation wash her hands of the disgraceful act, and let the history of it go down to posterity with a nation's condemnation indelibly engraved upon its forehead.

Let Congress, in the place of repealing certain laws of territorial legislature, because of their *inherent defects*, set them all aside because of the *inherent defects* in the power that made them. Let this be done, and the whole subject is open to Congress, the wrongs of the people may be redressed, their constitutional rights restored, and peace restored to the Union—to the country, and to the territory. the constitution itself vindicated, the theory of non-interference saved. The great principles of popular sovereignty and self-government re-established, an unmitigated fraud upon the ballot-box branded with marked disapprobation, the character of our free institutions preserved untarnished, the confidence of the people in the perpetuity and strength of free governments stimulated and confirmed, and the bonds of the Union strengthened and established upon the rock of eternal justice; but, refuse to do this, and all these propositions are reversed.

If the bill was designed to effect these objects, it will most certainly fail of its purpose; but on the other hand tend most directly to the reverse of all these desirable results, and therefore, finally, as a democrat, a citizen, and friend of Kansas, one who loves the Union, and the harmony and peace of all sections of the country, I must now most earnestly protest against its passage into a law.

Very truly, &c.,
W. Y. ROBERTS.

PRESIDENTIAL PLATFORMS FOR 1856.

WE herewith present the Platforms of the three Parties now soliciting the suffrages of the People; also the Letters of Acceptance written by the Presidential Candidates representing these parties, that the intelligent voter may examine and compare them, and thus deliberately form his judgment as to their relative merits. The Republicans invite the most rigid scrutiny and investigation into the principles and measures on which they make their appeal to the American People, with an undoubting confidence in the correctness and justice of the final verdict. What intelligent elector can fail to see that of the three the Republican Platform is the most truly Democratic and American, in the best and most significant sense of those much abused terms?

SOUTH AMERICAN PLATFORM PUT FORTH AT PHILADELPHIA, FEB. 22, 1856.

1st. An humble acknowledgment to the Supreme Being who rules the Universe, for His protecting care, vouchsafed to our fathers in their successful Revolutionary struggle, and hitherto manifested to us, their descendants, in the preservation of the liberties, the independence and the union of these States.

2d. The perpetuation of the Federal Union, as the palladium of our civil and religious liberties, and the only sure bulwark of American Independence.

3d. *Americans must rule America*, and, to this end, native-born citizens should be selected for all State, Federal, and municipal offices, or government employment, in preference to naturalized citizens; *nevertheless*,

4th. Persons born of American parents residing temporarily abroad, should be entitled to all the rights of native-born citizens; but,

5th. No person should be selected for political station (whether of native or foreign birth), who recognizes any allegiance or obligation of any description to any foreign prince, potentate, or power, or who refuses to recognize the Federal and State Constitutions (each within its sphere) as paramount to all other laws as rules of political action.

6th. The unqualified recognition and maintenance of the reserved rights of the several States, and the cultivation of harmony and fraternal good-will, between the citizens of the several States, and to this end, non-interference by Congress with questions appertaining solely to the individual States, and non-intervention by each State with the affairs of any other State.

7th. The recognition of the right of the native-born and naturalized citizens of the United States, permanently residing in any Territory thereof, to frame their constitution and laws, and to regulate their domestic and social affairs in their own mode, subject only to the provisions of the Federal Constitution, with the right of admission into the Union whenever they have their requisite population for one Representative in Congress. *Provided always*, That none but those who are citizens thereof, and State, under the Constitution and laws thereof, and who have a fixed residence in any such Territory, ought to participate in the formation of the Constitution, or in the enactment of laws for said Territory or State.

8th. An enforcement of the principle that no State or Territory can admit others than native-born citizens to the right of suffrage, or of holding political office, unless such person shall have been naturalized according to the laws of the United States.

9th. A change in the laws of naturalization, making a continued residence of twenty-one years, of all not heretofore provided for, an indispensable requisite of citizenship hereafter, and excluding all paupers and persons convicted of crime from landing upon our shores; but no interference with the vested rights of foreigners.

10th. Opposition to any union between Church and State: no interference with religious faith or worship, and no test oaths for office, except those indicated in the 5th section of this platform.

11th. Free and thorough investigation into any and all alleged abuses of public functionaries, and a strict economy in public expenditures.

12th. The maintenance and enforcement of all laws until said laws shall be repealed or shall be declared null and void by competent judicial authority.

13th. Opposition to the reckless and unwise policy of the present administration in the general management of our national affairs, and more especially as shown in removing "Americans" (by designation) and conservatives in principle, from office, and placing foreigners and ultraists in their places; as shown in a trucking subservency to the stronger, and an insolent and cowardly bravado towards the weaker powers; as shown in re-opening sectional agitation, by the repeal of the Missouri Compromise: as shown in granting to unnaturalized foreigners the right to suffrage in Kansas and Nebraska; as shown in its vacillating course on the Kansas and Nebraska question; as shown in the removal of Judge Buross from the Collectorship of New York upon false and untenable grounds; as shown in the corruptions which pervade some of the departments of the Government; as shown in disgracing meritorious naval officers through prejudice or caprice; and as shown in the blundering mismanagement of our foreign relations.

14th. Therefore, to remedy existing evils, and prevent the disastrous consequences otherwise resulting therefrom, we would build up the "American party" upon the principles herein before stated, eschewing all sectional questions and uniting upon those purely national, and admitting into said party all American citizens (referred to in the 3d, 4th, and 5th sections), who openly avow the principles and opinions heretofore expressed, and who will subscribe their names to this platform. *Provided*, nevertheless, that a majority of these members present at any meeting of a local Council where an applicant applies for membership in the American party may, for any reason by them deemed sufficient, deny admission to such applicant.

15th. A free and open discussion of all political principles embraced in our platform.

DEMOCRATIC PLATFORM PUT FORTH AT CINCINNATI,
MAY 22, 1856.

Resolved, That the American Democracy place their trust in the intelligence, the patriotism, and the discriminating justice of the American people.

Resolved, That we regard this as a distinctive feature of our political creed, which we are proud to maintain before the world as a great moral element in a form of government springing from and upheld by the popular will; and we contrast it with the creed and practice of Federalism, under whatever name or form, which seeks to palsify the will of the constituent, and which conceives no imposture too monstrous for the popular credulity.

Resolved, therefore, That entertaining these views, the Democratic party of this Union, through their delegates, assembled in general Convention, coming together in a spirit of concord, of devotion to the doctrines and faith of a free representative government, and appealing to their fellow-citizens for the rectitude of their intentions, renew and reassert before the American people, the declarations of principles avowed by them, when, on former occasions, in general Convention, they have presented their candidates for the popular suffrage.

1. That the Federal Government is one of limited power, derived solely from the Constitution, and the grants of power made therein ought to be strictly construed by all the departments and agents of the government, and that it is inexpedient and dangerous to exercise doubtful constitutional powers.

2. That the Constitution does not confer upon the General Government the power to commence and carry on a general system of internal improvements.

3. That the Constitution does not confer authority upon the Federal Government, directly or indirectly, to assume the debts of the several States, contracted for local and internal improvements, or other State purposes, nor would such assumption be just or expedient.

4. That justice and sound policy forbid the Federal Government to foster one branch of industry to the detriment of another, or to cherish the interests of one portion of our common country; that every citizen and every section of the country has a right to demand and insist upon an equality of rights and privileges, and a complete and ample protection of persons and property from domestic violence and foreign aggression.

5. That it is the duty of every branch of the Government to enforce and practise the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the government, and gradual but certain extinction of the public debt.

6. That the proceeds of the public lands ought to be sacredly applied to the national objects specified in the Constitution, and that we are opposed to any law for the distribution of such proceeds among the States, as alike inexpedient in policy and repugnant to the Constitution.

7. That Congress has no power to charter a National Bank; that we believe such an institution one of deadly hostility to the best interests of this country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a consecrated money power and above the laws and will of the people; and the results of the Democratic legislation in this and all other financial measures upon which issues have been made between the two political parties of the country, have demonstrated to candid and practical men of all parties their soundness, safety and utility in all business pursuits.

8. That the separation of the moneys of the Government from banking institutions is indispensable to

the safety of the funds of the Government and the rights of the people.

9. That we are decidedly opposed to taking from the President the qualified Veto power, by which he is enabled, under restrictions and responsibilities amply sufficient to guard the public interests, to suspend the passage of a bill whose merits cannot secure the approval of two-thirds of the Senate and House of Representatives, until the judgment of the people can be obtained thereon, and which has saved the American people from the corrupt and tyrannical dominion of the Bank of the United States, and from a corrupting system of general internal improvements.

10. That the liberal principles embodied by Jefferson in the Declaration of Independence, and sanctioned in the Constitution, which makes ours the land of liberty and the asylum of the oppressed of every nation, have ever been cardinal principles in the Democratic faith; and every attempt to abridge the privilege of becoming citizens and the owners of soil among us ought to be resisted with the same spirit which swept the alien and sedition laws from our statute books.

And whereas, Since the foregoing declaration was uniformly adopted by our predecessors in National Conventions, an adverse political and religious test has been secretly organized by a party claiming to be exclusively Americans, and it is proper that the American Democracy should clearly define its relations thereto; and declares its determined opposition to all secret political societies, by whatever name they may be called.

Resolved, That the foundation of this Union of States having been laid in, and its prosperity, expansion, and pre-eminent example in free government, built upon entire freedom of matters of religious concernment, and no respect of persons in regard to rank, or place of birth, no party can justly be deemed national, constitutional, or in accordance with American principles, which bases its exclusive organization upon religious opinions and accidental birth-place. And hence a political crusade in the nineteenth century, and in the United States of America, against Catholics and foreign-born is neither justified by the past history or future prospects of the country, nor in unison with the spirit of toleration, and enlightened freedom which peculiarly distinguishes the American system of popular government.

Resolved, That we reiterate with renewed energy of purpose the well considered declarations of former conventions upon the sectional issue of domestic slavery and concerning the reserved rights of the States—

1. That Congress has no power under the Constitution to interfere with or control the domestic institutions of the several States, and that all such States are the sole and proper judges of everything appertaining to their own affairs not prohibited by the Constitution; that all efforts of the Abolitionists or others made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences, and that all such efforts have an inevitable tendency to diminish the happiness of the people and endanger the stability and permanency of the Union and ought not to be countenanced by any friend of our political institutions.

2. That the foregoing proposition covers and was intended to embrace the whole subject of slavery agitation in Congress, and therefore the Democratic party of the Union, standing on this national platform, will abide by and adhere to a faithful execution of the acts known as the compromise measures, enacted by the Congress of 1850: "the act for reclaiming fugitives from service or labor included;" which

act being designed to carry out an express provision of the Constitution, cannot, with fidelity thereto, be repealed, or so changed as to destroy or impair its efficiency.

3. That the Democratic party will resist all attempts at renewing in Congress, or out of it, the agitation of the slavery question, under whatever shape or color the attempt may be made.

4. That the Democratic party will faithfully abide by and uphold the principles laid down in the Kentucky and Virginia resolutions of 1792 and 1793, and in the report of Mr. Madison to the Virginia Legislature in 1799—that it adopts these principles as constituting one of the main foundations of its political creed, and is resolved to carry them out in their obvious meaning and import.

And that we may more distinctly meet the issue on which a sectional party, subsisting exclusively on slavery agitation, now relies to test the fidelity of the people, North and South, to the Constitution and the Union—

1. *Resolved*, That claiming fellowship with and desiring the co-operation of all who regard the preservation of the Union under the Constitution as the paramount issue, and repudiating all sectional parties and platforms concerning domestic slavery, which seek to embroil the States and incite to treason and armed resistance to law in the territories, and whose avowed purpose if consummated, must end in civil war and disunion, the American Democracy recognize and adopt the principles contained in the organic laws establishing the territories of Nebraska and Kansas, as embodying the only sound and safe solution of the slavery question, upon which the great national idea of the people of this whole country can repose in its determined conservation of the Union, and non-interference of Congress with slavery in the territories or in the District of Columbia.

2. That this was the basis of the compromises of 1850, confirmed by both the Democratic and Whig parties in National Conventions ratified by the people in the election of 1852, and rightly applied to the organization of the territories in 1854.

3. That by the uniform application of the Democratic principle to the organization of territories, and the admission of new States with or without domestic slavery, as they may elect, the equal rights of all the States will be preserved intact, the original compacts of the Constitution maintained inviolate, and the perpetuity and expansion of the Union insured to its utmost capacity of embracing, in peace and harmony, every future American State that may be constituted or annexed with a republican form of government.

Resolved, That we recognize the right of the people of all the territories, including Kansas and Nebraska, acting through the legally and fairly expressed will of the majority of the actual residents, and whenever the number of their inhabitants justifies it, to form a Constitution, with or without domestic slavery, and be admitted into the Union upon terms of perfect equality with the other States.

Resolved, finally, That, in view of the condition of the popular institutions in the old world (and the dangerous tendencies of sectional agitation, combined with the attempt to enforce civil and religious disabilities against the rights of acquiring and enjoying citizenship in our own land), a high and sacred duty is involved with increased responsibility upon the Democratic party of this country, as the party of the Union, to uphold and maintain the rights of every State and thereby the union of the States—and to sustain and advance among us constitutional liberty, by continuing to resist all monopolies and exclusive legislation for the benefit of the few at the expense of the many, and by a vigilant and constant adherence to those principles and compromises of the Constitution—which are broad enough and strong

enough to embrace and uphold the Union as it was, the Union as it is, and the Union as it shall be—in the full expression of the energies and capacity of this great and progressive people.

1. *Resolved*, That there are questions connected with the foreign policy of this country which are inferior to no domestic question whatever. The time has come for the people of the United States to declare themselves in favor of free seas, and progressive free trade throughout the world, and, by solemn manifestations to place their moral influence at the side of their successful example.

2. *Resolved*, That our geographical and political position with reference to the other States of this continent, no less than the interest of our commerce and the development of our growing power, requires that we should hold sacred the principles involved in the Monroe doctrine. Their bearing and import admit of no misconstruction, and should be applied with unbending rigidity.

3. *Resolved*, That the great highway, which nature as well as the assent of States most immediately interested in its maintenance has marked out for free communication between the Atlantic and the Pacific Oceans, constitutes one of the most important achievements realized by the spirit of modern times, in the unconquerable energy of our people; and that result would be secured by a timely and efficient exertion of the control which we have the right to claim over it, and no power on earth should be suffered to impede or clog its progress by any interference with relations that it may suit our policy to establish between our government and the governments of the States within whose dominions it lies; we can under no circumstances, surrender our preponderance in the adjustment of all questions arising out of it.

4. *Resolved*, That in view of so commanding an interest, the people of the United States cannot but sympathize with the efforts which are being made by the people of Central America to regenerate that portion of the continent which covers the passage across the inter-oceanic isthmus.

5. *Resolved*, That the Democratic party will expect of the next Administration that every proper effort be made to ensure our ascendancy in the Gulf of Mexico, and to maintain permanent protection to the great outlets through which are emptied into its waters the products raised out of the soil and the commodities created by the industry of the people of our western valleys and of the Union at large.

EMPHATIC PLATFORM PUT FORTH AT PHILADELPHIA,
JUNE 18th, 1856.

This Convention of Delegates, assembled in pursuance of a call addressed to the people of the United States, without regard to past political differences or divisions, who are opposed to the repeal of the Missouri Compromise: to the policy of the present Administration; to the extension of Slavery into Free Territory; in favor of admitting Kansas as a free State; of restoring the action of the Federal Government to the principles of WASHINGTON and JEFFERSON, and who purpose to unite in presenting candidates for the offices of President and Vice President, do resolve as follows:

Resolved, That the maintenance of the principles promulgated in the Declaration of Independence and embodied in the Federal Constitution, are essential to the preservation of our republican institutions, and that the Federal Constitution, the rights of the States, and the union of the States shall be preserved.

Resolved, That with our republican fathers we hold it to be a self-evident truth, that all men are endowed with the inalienable rights to life, liberty, and the pur-

suit of happiness, and that the primary object and ulterior designs of our federal government were, to secure these rights to all persons within its exclusive jurisdiction; that as our republican fathers, when they had abolished slavery in all our national territory, ordained that no person should be deprived of life, liberty, or property, without due process of law, it becomes our duty to maintain this provision of the Constitution against all attempts to violate it for the purpose of establishing slavery in any territory of the United States, by positive legislation, prohibiting its existence or extension therein. That we deny the authority of Congress, of a territorial legislature, of any individual or association of individuals, to give legal existence to slavery in any territory of the United States, while the present Constitution shall be maintained.

Resolved, That the Constitution confers upon Congress sovereign power over the territories of the United States for their government, and that in the exercise of this power it is both the right and the duty of Congress to prohibit in the territories those twin relics of barbarism—polygamy and slavery.

Resolved, That while the Constitution of the United States was ordained and established by the people in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defence, and secure the blessings of liberty, and contains ample provisions for the protection of the life, liberty, and property of every citizen, the dearest Constitutional rights of the people of Kansas, have been fraudulently and violently taken from them—their territory has been invaded by an armed force—spurious and pretended legislative, judicial, and executive officers have been set over them, by whose usurped authority, sustained by the military power of the government, tyrannical and unconstitutional laws have been enacted and enforced—the rights of the people to keep and bear arms have been infringed—test oaths of an extraordinary and entangling nature have been imposed, as a condition of exercising the right of suffrage and holding office—the right of an accused person to a speedy and public trial by an impartial jury has been denied—the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures has been violated—they have been deprived of life, liberty, and property, without due process of law—that the freedom of speech and of the press has been abridged—the right to choose their representatives has been made of no effect—murders, robberies, and arson have been instigated and encouraged, and the offenders have been allowed to go unpunished—that all these things have been done with the knowledge, sanction and procurement of the present administration, and that for this high crime against the Constitution, the Union, and humanity, we arraign the administration, the President, his advisers, agents, supporters, apologists and accessories, either before or after the facts, before the country and before the world, and that it is our fixed purpose to bring the actual perpetrators of these atrocious outrages and their accomplices to a sure and condign punishment hereafter.

Resolved, That Kansas should be immediately admitted as a State of the Union, with her present free constitution, as at once the most effectual way of securing to her citizens the enjoyments of the rights and privileges to which they are entitled, and of ending the civil strife now raging in her territory.

Resolved, That the highwayman's plea, that "might makes right," embodied in the Ostend circular, was in every respect unworthy of American diplomacy, and would bring shame and dishonor upon any government or people that gave it their sanction.

Resolved, That a Railroad to the Pacific Ocean, by the most central and practical route, is imperatively demanded by the interests of the whole country, and that the Federal Government ought to render imme-

diately and efficient aid in its construction; and as an auxiliary thereto, the immediate construction of an emigrant route on the line of the railroad.

Resolved, That appropriations by Congress for the improvement of rivers and harbors, of a national character, required for the accommodation and security of our existing commerce, are authorized by the Constitution, and justified by the obligation of government to protect the lives and property of its citizens.

Resolved, That we invite the affiliation and co-operation of the men of all parties, however different from us in other respects, in support of the principles herein declared; and believing that the spirit of our institutions, as well as the Constitution of our country, guarantees liberty of conscience and equality of rights among citizens, we oppose all legislation impairing their security.

COLONEL FREMONT'S ACCEPTANCE.

NEW YORK, July 8, 1856.

GENTLEMEN: You call me to a high responsibility by placing me in the van of a great movement of the people of the United States, who, without regard to past differences, are uniting in a common effort to bring back the action of the Federal Government to the principles of WASHINGTON and JEFFERSON. Comprehending the magnitude of the trust which they have declared themselves willing to place in my hands, and deeply sensible to the honor which they unreserved confidence in this threatening position of the public affairs impels, I feel that I cannot better respond than by a sincere declaration that, in the event of my election to the Presidency, I should enter upon the execution of its duties with a single-hearted determination to promote the good of the whole country, and to direct solely to this end all the power of the Government, irrespective of party issues, and regardless of sectional strifes. The declaration of principles embodied in the resolves of your Convention expresses the sentiments in which I have been educated, and which have been ripened into convictions by personal observation and experience. With this declaration and avowal, I think it necessary to revert to only two of the subjects embraced in the resolutions, and to those only because events have surrounded them with grave and critical circumstances, and given to them especial importance.

I concur in the views of the Convention deprecating the foreign policy to which it adverts. The assumption that we have the right to take from another nation its domains because we want them, is an abandonment of the honest character which our country has acquired. To provoke hostilities by unjust assumptions would be to sacrifice the peace and character of the country, when all its interests might be more certainly secured, and its objects attained by just and healing counsels, involving no loss of reputation.

International embarrassments are mainly the results of a secret diplomacy, which aims to keep from the knowledge of the people the operations of the Government. This system is inconsistent with the character of our institutions, and is itself yielding gradually to a more enlightened public opinion, and to the power of a free Press, which, by its broad dissemination of political intelligence, secures in advance to the side of justice the judgment of the civilized world. An honest, firm and open policy in our foreign relations would command the united support of the nation, whose deliberate opinions it would necessarily reflect.

Nothing is clearer in the history of our institutions than the design of the nation in asserting its own independence and freedom, to avoid giving

countenance to the extension of Slavery. The influence of the small but compact and powerful class of men interested in Slavery, who command one section of the country, and wield a vast political control as a consequence in the other, is now directed to turn this impulse of the Revolution and reverse its principles. The extension of Slavery across the continent is the object of the power which now rules the Government; and from this spirit has sprung those kindred wrongs in Kansas so truly portrayed in one of your resolutions, which prove that the elements of the most arbitrary governments have not been vanquished by the just theory of our own. It would be out of place here to pledge myself to any particular policy that has been suggested to terminate the sectional controversy engendered by political animosities, operating on a powerful class banded together by a common interest. A practical remedy is the admission of Kansas into the Union as a Free State. The South should, in my judgment, earnestly desire such consummation. It would vindicate the good faith—it would correct the mistake of the repeal; and the North, having practically the benefit of the agreement between the two sections, would be satisfied, and good feeling be restored. The measure is perfectly consistent with the honor of the South, and vital to its interests. That fatal act which gave birth to this purely sectional strife, originating in the scheme to take from free labor the country secured to it by a solemn covenant, cannot be too soon disarmed of its pernicious force. The only genial region of the middle latitudes left to the emigrants of the Northern States for homes cannot be conquered from the free laborers, who have long considered it as set apart for them in our inheritance, without provoking a desperate struggle. Whatever may be the persistence of the particular class which seems ready to hazard everything for the success of the unjust scheme it has partially effected, I firmly believe that the great heart of the nation, which throbs with the patriotism of the free men of both sections, will have power to overcome it. They will look to the rights secured to them by the Constitution of the Union, as their best safeguard from the oppression of the class which—by a monopoly of the soil and of slave labor to till it—might in time reduce them to the extremity of laboring upon the same terms with the slaves. The great body of non-slaveholding free men, including those of the South, upon whose welfare Slavery is an oppression, will discover that the power of the General Government over the public lands may be beneficially exerted to advance their interests and secure their independence. Knowing this, their suffrages will not be wanting to maintain that authority in the Union which is absolutely essential to the maintenance of their own liberties, and which has more than once indicated the purpose of disposing of the public lands in such a way as would make every settler upon them a freeholder.

If the people intrust to me the administration of the Government, the laws of Congress in relation to the Territories will be faithfully executed. All its authority will be exerted in aid of the national will to re-establish the peace of the country on the just principles which have heretofore received the sanction of the Federal Government, of the States, and of the people of both sections. Such a policy would leave no alimnt to that sectional party which seeks its aggrandizement by appropriating the new Territories to capital in the form of Slavery, but would inevitably result in the triumph of free labor—the natural capital which constitutes the real wealth of this great country, and creates that intelligent power in the masses alone to be relied on as the bulwark of free institutions.

Trusting that I have a heart capable of comprehending our whole country, with its varied interests, and confident that patriotism exists in all parts of

the Union, I accept the nomination of the Convention, in the hope that I may be enabled to serve usefully its cause, which I consider the cause of constitutional Freedom.

Very respectfully, your obedient servant,
J. C. FREMONT.

To Messrs. H. S. LANE, President of the Convention; JAMES M. ASHLEY, ANTHONY J. BLEECKER, JOSEPH C. HORNBLLOWER, E. R. HOAR, THADDEUS STEVENS, KINGSLEY S. BINGHAM, JOHN A. WILLS, C. F. CLEVELAND, CYRUS ALDRICH, Committee, &c.

MR. BUCHANAN'S ACCEPTANCE.

WHEATLAND, DEAR LANCASTER, June 15, 1856.

GENTLEMEN: I have the honor to acknowledge the receipt of your communication of the 13th instant, informing me officially of my nomination by the Democratic National Convention, recently held at Cincinnati, as the democratic candidate for the office of President of the United States. I shall not attempt to express the grateful feelings which I entertain towards my democratic fellow citizens for having deemed me worthy of this—the highest political honor on earth—an honor such as the people of no other country have the power to bestow. Deeply sensible of the vast and varied responsibility attached to the station, especially at the present crisis in our affairs, I have carefully refrained from seeking the nomination either by word or by deed. Now that it has been offered by the democratic party, I accept it with diffidence in my own abilities, but with a humble trust that in the event of my election I may be enabled to discharge my duty in such a manner as to allay domestic strife, preserve peace and friendship with foreign nations, and promote the best interests of the Republic.

In accepting the nomination, I need scarcely say that I accept in the same spirit the resolutions constituting the platform of principles erected by the convention. To this platform I intend to confine myself throughout the canvass, believing that I have no right, as the candidate of the democratic party, by answering interrogatories, to present new and different issues before the people.

It will not be expected that in this answer I should specially refer to the subject of each of the resolutions; and I shall therefore confine myself to the two topics now most prominently before the people.

And in the first place, I cordially concur in the sentiments expressed by the convention on the subject of civil and religious liberty. No party founded on religious or political intolerance toward one class of American citizens, whether born in our own or in a foreign land, can long continue to exist in this country. We are all equal before God and the Constitution, and the dark spirit of despotism and bigotry which would create odious distinctions among our fellow-citizens, will be speedily rebuked by a free and enlightened public opinion.

The agitation on the question of domestic slavery has too long dictated and divided the people of this Union, and alienated their affections from each other. This agitation has assumed many forms since its commencement, but it now seems to be directed chiefly to the territories; and judging from its present character, I think we may safely anticipate that it is rapidly approaching a "finality." The recent legislation of Congress respecting domestic slavery, derived, as it has been, from the original and pure fountain of legitimate political power, the will of the majority, promises ere long to allay the dangerous excitement. This legislation is founded upon principles as ancient as free government itself, and in accordance with them, has simply declared that the

people of a territory, like those of a State, shall decide for themselves whether Slavery shall or shall not exist within their limits.

The Nebraska-Kansas Act does no more than give the force of law to this elementary principle of self-government, declaring it to be "the true intent and meaning of this act not to legislate slavery into any territory or State, nor to exclude it therefrom; but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." This principle will surely not be controverted by any individual of any party professing devotion to popular government. Besides, how vain and illusory would any other principle prove in practice in regard to the territories! This is apparent from the fact admitted by all, that after a territory shall have entered the Union and become a State, no constitutional power would then exist which could prevent it from either abolishing or establishing slavery, as the case may be, according to its sovereign will and pleasure.

Most happy would it be for the country if this long agitation were at an end. During its whole progress it has produced no practical good to any human being, while it has been the source of great and disastrous evils. It has alienated and estranged one portion of the Union from the other, and has even seriously threatened its very existence. To my own personal knowledge, it has produced the impression among foreign nations that our great and glorious confederacy is in constant danger of dissolution. This does us serious injury, because acknowledged power and stability always command respect among nations, and are among the best securities against unjust aggression, and in favor of the maintenance of honorable peace.

May we not hope that it is the mission of the democratic party, now the only surviving conservative party of the country, ere long to overthrow all sectional parties, and restore the peace, friendship, and mutual confidence which prevailed in the good old time among the different members of the confederacy? Its character is strictly national, and it therefore asserts no principle for the guidance of the federal government which is not adopted and sustained by its members in each and every State. For this reason, it is everywhere the same determined foe of all geographical parties, so much and so justly dreaded by the father of his country. From its very nature it must continue to exist so long as there is a Constitution and a Union to preserve. A conviction of these truths has induced many of the purest, the ablest and most independent of our former opponents, who have differed from us in time gone by upon old and extinct party issues, to come into our ranks and devote themselves with us to the cause of the Constitution and the Union. Under these circumstances, I most cheerfully pledge myself, should the nomination of the convention be ratified by the people, that all the power and influence constitutionally possessed by the executive shall be exerted in a firm but conciliatory spirit, during the single term I shall remain in office, to restore the same harmony among the sister States which prevailed before this apple of discord, in the form of slavery agitation, had been cast into their midst. Let the members of the family abstain from intermeddling with the exclusive domestic concerns of each other, and cordially unite, on the basis of perfect equality among themselves, in promoting the great national objects of common interest to all, and the good work will be instantly accomplished.

In regard to our foreign policy to which you have referred in your communication, it is quite impossible for any human foreknowledge to prescribe positive rules in advance, to regulate the conduct of a future administration in all the exigencies which

may arise in our various and ever-changing relations with foreign powers. The federal government must of necessity exercise a sound discretion in dealing with international questions as they may occur; but this under the strict responsibility which the executive must always feel to the people of the United States and the judgment of posterity. You will, therefore, excuse me for not entering into particulars; while I heartily concur with you in the general sentiment, that our foreign affairs ought to be conducted with such wisdom and firmness as to assure the prosperity of the people at home, while the interests and honor of our country are wisely but inflexibly maintained abroad. Our foreign policy ought ever to be based upon the principle of doing justice to all nations, and requiring justice from them in return; and from this principle I shall never depart.

Should I be placed in the executive chair, I shall use my best exertions to cultivate peace and friendship with all nations, believing this to be our highest policy as well as our most imperative duty; but at the same, I shall never forget that in case the necessity should arise, which I do not now apprehend, our national honor must be preserved at all hazards and at any sacrifice.

Firmly convinced that a special Providence governs the affairs of nations, let us humbly implore his continued blessing upon our country, and that he may avert from us the punishment we justly deserve for being discontented and ungrateful while enjoying privileges above all nations, under such a Constitution and such a Union as has never been vouchsafed to any other people.

Yours, very respectfully,
JAMES BUCHANAN.

The Hon. JOHN E. WARD, W. A. RICHARDSON, and others.

MR. FILLMORE'S ACCEPTANCE.

Paris, May 21, 1856.

GENTLEMEN: I have the honor to acknowledge the receipt of your letter, informing me that the National Convention of the American party, which had just closed its session at Philadelphia, had unanimously presented my name for the Presidency of the United States, and associated with it that of Andrew Jackson Donelson for the Vice-Presidency. This unexpected communication met me at Venice, on my return from Italy, and the duplicate mails thirteen days later were received on my arrival in this city last evening.

This must account for my apparent neglect in giving a more prompt reply.

You will pardon me for saying that, when my Administration closed in 1853, I considered my political life as a public man at an end, and thenceforth I was only anxious to discharge my duty as a private citizen. Hence I have taken no active part in politics, but I have by no means been an indifferent spectator of passing events, nor have I hesitated to express my opinion on all political subjects when asked, nor to give my vote and private influence for those men and measures I thought best calculated to promote the prosperity and glory of our common country. Beyond this I have deemed it improper for me to interfere.

But this unsolicited and unexpected nomination has imposed upon me a new duty, from which I cannot shrink; and therefore, approving as I do, the general objects of the party which has honored me with its confidence, I cheerfully accept its nomination, without waiting to inquire its prospects of suc-

cess or defeat. It is sufficient for me to know that by so doing I yield to the wishes of a large portion of my fellow-citizens in every part of the Union, who, like myself, are sincerely anxious to see the Administration of our Government restored to that original simplicity and purity which marked the first part of its existence, and, if possible, to quiet that alarming sectional agitation which, while it delights the monarchists of Europe, causes every true friend of our own country to mourn.

Having the experience of past service in the administration of the Government, I may be permitted to refer to that as the exponent of the future, and to say that should the choice of the Convention be sanctioned by the people, I shall with the same scrupulous regard for the rights of every section of the Union which then influenced my conduct, endeavor to perform every duty confided by the Constitution and laws to the Executive.

As the proceedings of the Convention have marked an era in the history of the country, by bringing a new political organization into the approaching Presidential canvass, I take occasion to reaffirm my full confidence in the patriotic purposes of that organization, which I regard as springing out of the public necessity forced upon the country to a large extent by unfortunate sectional divisions, and the injurious tendency of these divisions towards disunion.

It alone, in my opinion, of all political agencies now existing, is possessed of the power to silence this violent and disastrous agitation, and to restore harmony by its own example of moderation and for-

bearance. It has a claim, therefore, in my judgment upon every earnest friend of the integrity of the Union.

So estimating this party, both in its present position and future destiny, I freely adopt its great leading principles as announced in the recent declaration of the National Council in Philadelphia, a copy of which you were so kind as to enclose to me, holding them to be just and liberal to every true interest of the country, and wisely adapted to the establishment and support of an enlightened, safe, and effective American policy, in full accord with the ideas, and the hopes of the fathers of the Republic.

I expect shortly to sail for America, and with the blessing of Divine Providence, hope soon to tread my native soil. My opportunity of comparing my own country and the condition of the people, with those of Europe, has only served to increase my admiration and love for our blessed land of liberty, and I shall return to it without even a desire to ever cross the Atlantic again.

I beg you, gentlemen, to accept my thanks for the very flattering manner in which you have been pleased to communicate the result of the action of that enlightened and patriotic body of men who composed the late Convention, and be assured that I am, with profound respect and esteem, your fellow-citizen,

MILLARD FILLMORE.

To Messrs. A. H. H. STEWART, ANDREW STEWART, ERASTUS BROOKS, E. B. BARTLETT, WM. J. EAMES, EPHRAIM MARSH.

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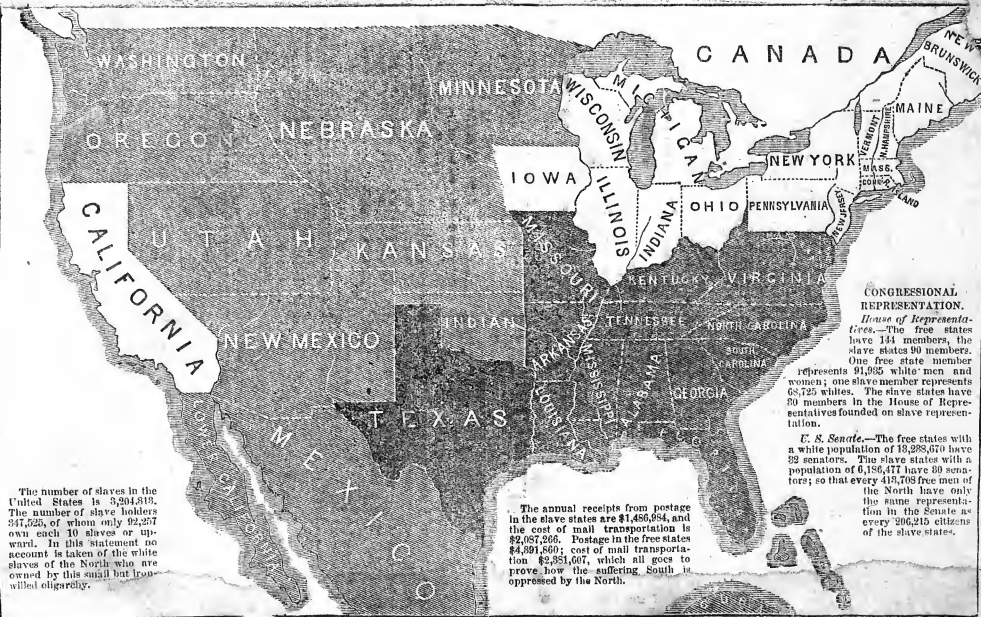
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The number of slaves in the United States is 3,204,813. The number of slave holders 347,525, of whom only 92,257 own each 10 slaves or upward. In this statement no account is taken of the white slaves of the North who are owned by this small but iron-willed oligarchy.

The annual receipts from postage in the slave states are \$1,456,984, and the cost of mail transportation is \$2,067,266. Postage in the free states \$4,391,500; cost of mail transportation \$2,931,607, which all goes to prove how the suffering South is oppressed by the North.

CONGRESSIONAL REPRESENTATION.

House of Representatives.—The free states have 144 members, the slave states 90 members. One free state member

represents 91,935 white men and women; one slave member represents 68,725 whites. The slave states have 90 members in the House of Representatives founded on slave representation.

U. S. Senate.—The free states with a white population of 13,298,670 have 52 senators. The slave states with a population of 6,158,477 have 20 senators; so that every 419,703 free men of the North have only the same representation in the Senate as every 206,215 citizens of the slave states.